

Squire Patton Boggs (UK) LLP
7 Devonshire Square
LONDON
EC2M 4YH

For the attention of Laurence Winston

27 March 2018

Dear Sir,

Your client: SCL Elections Limited
Ref: LMW/CAM.229-0001

We refer to your letter of 26 March 2018.

The Warrant was executed at a reasonable time in both the circumstances of this case and given the international nature of your client's business, particularly in circumstances where the Warrant had been granted on the evening of Friday 23 March; the Court had rejected your client's offer to supply the data sought on Monday morning; and the ICO had confirmed to you at the hearing that the Warrant was likely to be executed before the end of the weekend.

It is wrong to say that your client was "*left in the dark*" or "*given a wrong impression*" about the execution of the Warrant, or was "*given to believe*" that the Warrant would be executed on appointment. ICO staff (including Sally Anne Poole, to whom you refer specifically in your letter) did not mislead your client as to when the Warrant would be executed and in fact told your client explicitly on several occasions that they were not in a position to say when the Warrant would be executed. The ICO in fact gave express notice of the search in an email from Emma Bate of the ICO to Laurence Winston of your firm at 8:20 pm on Friday 23 March, immediately after the search began and some 7 hours before it ended. Your client had every opportunity to attend the search if it had wanted to do so.

Your letter says that the execution of the Warrant was motivated by "*maximising the available publicity*" and allege that "*the media were tipped off about the execution of the warrant*". This is untrue. In any event, in a case such as this which has attracted considerable international media interest (with significant numbers of journalists being present both outside your client's premises for days prior to the hearing and at the hearing itself), the suggestion that the media would have to have been "*tipped off*" in order to generate coverage of the execution of the Warrant is absurd.



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For all the reasons set out above, the Warrant was lawfully executed and the ICO has acted entirely properly in this matter. Your threats of civil action against the ICO, including your demands for disclosure and specific threats to recover the cost of replacement hardware, "*compensation*" and "*consequential loss*", are baseless and are rejected.

The ICO will return the laptop computers and other hardware seized once it is no longer necessary for that hardware to be retained. You will be notified in due course.

Yours faithfully,



Emma Bate
General Legal Counsel



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